IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARCUS ANTONIO SATTERFIELD,)
Plaintiff,)
V.) 1:23-cv-143
POLICE OFFICER J.F. SEIFERT, (now Detective) and ROXBORO POLICE DEPARTMENT,)))
Defendants.)

<u>ORDER</u>

This matter is before the court for review of the Order and Recommendation ("Recommendation") filed on February 12, 2025, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 94.) In the Recommendation, the Magistrate Judge recommends that Defendant Seifert's motion for judgment on the pleadings, (Doc. 87), should be granted in part and denied in part. Plaintiff filed timely objections. (Doc. 98).

This court is required to "make a <u>de novo</u> determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." <u>Id.</u>

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a <u>de</u>

<u>novo</u> determination which is in accord with the Magistrate

Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's

Recommendation, (Doc. 94), is ADOPTED. IT IS FURTHER ORDERED

that Defendant James Seifert's Motion for Partial Judgment on

the Pleadings, (Doc. 87), is GRANTED IN PART and DENIED IN

PART. Specifically, the motion is GRANTED insofar as

Plaintiff's official capacity claims and those claims are

DISMISSED. Defendant's motion is DENIED in all other respects.

IT IS FURTHER ORDERED that Plaintiff's "Motion to Move for Judges Pleadings," (Doc. 86), "Counter Motion," (Doc. 91), and "letter motion," (Doc. 92), are DENIED.

This the 26th day of March, 2025.

United States District Judge